

Message Text

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PAGE 01 STATE 012803

44

ORIGIN SS-25

INFO OCT-01 ISO-00 /026 R

DRAFTED BY EA:RHMILLER/PCHABIB:JNP

APPROVED BY EA:PCHABIB

S/S - MR. EALUM

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R 181840Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY SAIGON

C O N F I D E N T I A L STATE 012803

STADIS////////////////////////////////////

EXDIS

E.O. 11652: GDS

TAGS: PBOR, VS

SUBJECT: AIR SERVICES CONTRACT

EYES ONLY FOR AMBASSADOR MARTIN FROM HABIB

REF: SAIGON 0508

1. L'S PRELIMINARY READING OF SECTION 38(F) IS THAT, INDEED, THIS SECTION PLACES A HARD AND FAST CEILING ON ALL U.S. PERSONNEL IN THE COUNTRY INCLUDING CONTRACT PERSONNEL. WE WILL GET, HOWEVER, A MORE DEFINITIVE READING WITHIN A FEW DAYS.

2. OUR READING OF SECTION 38(F) INDICATES THAT THE OVERALL COUNTRY CEILING AS OF 1 JULY 1975 IS 4,000, AND THAT THE CEILING OF 3,000 IS NOT REQUIRED UNTIL DECEMBER 30, 1975. OUR CURRENT FIGURES ON MISSION PERSONNEL AS OF DECEMBER 1974 RUN ABOUT 3,000 INCLUDING CONTRACTORS WHICH WOULD BE WELL BELOW THE MID-1975 CEILING. WITHOUT ANY FURTHER DRAWDOWNS IN PERSONNEL BEFORE THE END OF 1975, THE CEILING WOULD BEGIN TO PINCH. THIRD COUNTRY NATIONALS AS OF JULY 1974 WERE OVER 600, WHEREAS THE MID-75 CEILING IS 800, BUT DROPPING TO 500 BY THE END OF THE YEAR.

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PAGE 02 STATE 012803

3. AS ONE IDEA FOR YOU TO KEEP IN MIND IN THIS REGARD
IS WHETHER WE COULD NOT SEPARATE OUT THAT PORTION OF
CONTRACTOR PERSONNEL WHO PERFORM SERVICES FOR THE ICCS
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AND SHOULD NOT BE INCLUDED IN CEILING CALCULATIONS.
FOR EXAMPLE, PA AND E AND AIR SERVICES PERSONNEL, TO
THE EXTENT THEY COMMONLY SERVE THE ICCS SHOULD NOT
BE CONSIDERED AS SERVING THE U.S. GOVERNMENT, EVEN
THOUGH THEY HAVE CONTRACTS WITH U.S. GOVERNMENT
AGENCIES.

4. ON THE QUESTION OF PARKERS AFFILIATIONS, I AM
RELIABLY INFORMED THAT HIS INTEREST INVOLVES A SMALL
HELICOPTER AND MAINTENANCE COMPANY WHICH WILL NOT
PARTICIPATE IN ANY BIDDING ON THE AIR SERVICES
CONTRACT, ALTHOUGH IT HAS SOME LONG-TERM INTEREST
IN FUTURE OPERATIONS IN SEA. IN ANY CIRCUMSTANCE,
JUST TO ASSURE NO CONFLICT OF INTEREST, PARKER HAS
REMOVED HIMSELF FROM ANY PARTICIPATION IN THE
CURRENT CONSIDERATIONS WHICH ARE UNDER JOHN MURPHY'S
CONTROL. KISSINGER

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